

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Suits – I & CAD Department – L.A. - Formation of CADA Roads Nalgonda District, Tungapahad village Miryalaguda Mandal – Sanction of Decretal charges for an amount of Rs. 8,73,065/- towards the land acquired for formation of CADA Road in connection with the Decree in O.P.No.114/2000 to deposit the said amount in the lower court – Sanction – Accorded

IRRIGATION & CAD (GENL.IV.2) DEPARTMENT

G.O. Rt. No. 1496

Dated:09-09-2009
Read the following:-

From the Spl. Collector, LA, Nalgonda Ir. No. A5/702/2005 Dated. 29-06-2009

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ORDER:

The Special Collector (LA), Nalgonda has informed that the Land Acquisition Officer/Special Deputy Collector (LA), Nalgonda has acquired an extent of Ac.13.35 ½ Guntas of patta land situated at Tungapahad village, Miryalaguda Mandal, Nalgonda District for formation of CADA Ayacut Road and awarded compensation @ Rs. 28000/- per acre. Aggrieved with the compensation awarded, some of the Awardees covering an extent of Ac. 3.27 1/2 guntas sought a reference u/s 18 of LA Act and Civil Court enhanced the compensation to Rs. 1,00,000/- per acre vide decree dated 28-10-2003 in O.P. No. 114/2000. O.P.No.s 113 &115/2000 also arose from the same notification as in case of 114/2000 .The Civil Court in O.P.No.s 113 &115/2000 also enhanced the compensation from Rs.28,000 to Rs.1,00,000.The state preferred an appeal in A.S No.1706/2005 before the Hon'ble High Court of A.P.,against the decree in O.P.No.113/2000 . The Hon'ble High Court in its orders dated. 09-03-2007, has confirmed the rate fixed by the Senior Civil Court, Suryapet in O.P.No.113/2000. The Government Pleader (Appeals), High Court opined that as O.P.No.s 114 and 115 also arose from the same notification as in case of O.P.No.113/2000,the judgment in A.S.No.1706/2005 would be binding and requested to comply with the orders of reference court in O.P.No.114/2000. The Special Deputy Collector,(LA),AMRP has submitted proposals for sanction of decretal charges.

2. The Special Collector (LA), Nalgonda has therefore requested for sanction of decretal charges in respect of O.P.No.114/2000.

3. Government, after careful examination of the proposal, hereby accord sanction for an amount of Rs.8,73,065/- (Rupees Eight lakhs,seventy three thousand and sixty five only) towards the land acquired for formation of CADA Roads at Tungapahad Village, Miryalaguda Mandal , Nalgonda District to deposit the said amount in the Lower Court to comply with the decree dated 28.10.2003.in O.P.No.114/2000.

4. The above amount is sanctioned, subject to verification whether the reference under section 18 of the LA. Act is made to the lower court after following all the guidelines/ directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/Chief Commissioner of Land Administration, immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution Petition and also subject to confirmation of the decretal amount by the Special Collector, LA., Nalgonda and as to the extent of land acquired.

5. The expenditure sanctioned in para (3) above, shall be met under the following head of account:

4705-Capital outlay on Command Area Development-M.H.101 NSP Command Area-G.H-11-Normal State Plan-S.H. 05 Ayacut Road-530 Major Works 532 – Lands (charged).

6. The Special Collector, L.A., Nalgonda is requested to follow the directions issued by the Hon'ble High Court on 30-4-2007 in WP. No. 2181 of 2005 in disbursement of the above sanctioned decretal charges under provision of NSP Act to the rightful claimants in respect of O.P. No. 114/2000 to avoid intervention of middlemen.

7. The Commissioner, CADA., is requested to take further action in the matter and ensure that the amount is deposited in the Lower Court at an early date giving suitable instructions to Special Collector (LA), Nalgonda.

8. This order issues with the concurrence of Finance (Exp. P.W.I) Department vide their U.O.No.21568/818/Exp.P.W.I/09, dated:18-08-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, CAD, Jalasoudha
Building, Errummanzil, Hyderabad.

The Spl. Chief Secy. to Govt. & CCLA.,
A.P. Hyderabad.

The Spl. Collector, (LA), Nalgonda.

Copy to:

Spl. Dy. Collector, LA., Nalgonda.

The Accountant General, A.P., Hyderabad.

The Govt. Pleader for LA., High Court of A.P. Hyd.

The Finance (Exp. P.W.I) Dept./The Law Dept.

The P.S. to Minister (M & MI)

The P.S. to Prl. Secy. to Govt., I&CAD.Dept.

S.F./S.C.

// Forwarded by Order //

SECTION OFFICER